

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC, and  
Bernard L. Madoff,

Plaintiff,

v.

THE PUBLIC INSTITUTION FOR SOCIAL  
SECURITY,

Defendant.

Adv. Pro. No. 12-01002 (CGM)

**AMENDED STIPULATION AND ORDER**

Plaintiff Irving H. Picard (the “Trustee”), as trustee of the substantively consolidated liquidation proceeding of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–lll, and the chapter 7 estate of Bernard L. Madoff, and defendant The Public Institution for Social Security (“Defendant,” and with the Trustee, the “Parties”), by and through their respective undersigned counsel, state as follows:

**WHEREAS**, on January 5, 2012, the Trustee commenced adversary proceeding number 12-01002 (the “Action”) and filed a complaint (“Complaint”) against Defendant to recover subsequent transfers Defendant allegedly received from Fairfield Sentry Limited;

**WHEREAS**, the Parties previously entered into a stipulation, so ordered by the Court, setting forth a schedule for Defendant's response to the Complaint [Dkt. No. 112];

**WHEREAS**, the Parties seek to amend the agreed-upon schedule due to a scheduling conflict;

**IT IS HEREBY STIPULATED AND AGREED**, that Defendant shall respond to the Complaint in the Action by February 25, 2022. If Defendant files a motion to dismiss the Complaint, such motion shall set forth any and all grounds for dismissal at the pleading stage. The Trustee shall respond to the motion by April 26, 2022, and Defendant shall file its reply by May 26, 2022.

**IT IS HEREBY STIPULATED AND AGREED**, that if Defendant files such a motion to dismiss the Complaint, the Parties shall request oral argument on the motion on a mutually agreeable date consistent with the Court's availability.

Dated: February 4, 2022  
New York, New York

By: /s/ Brian W. Song  
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*Attorneys for Irving H. Picard, Trustee for  
the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate  
of Bernard L. Madoff*

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*Attorneys for Defendant The Public Institution  
For Social Security*

**Dated: February 7, 2022**  
**Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris**  
**Chief U.S. Bankruptcy Judge**